

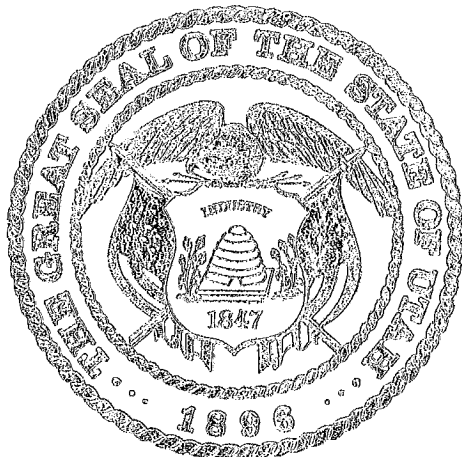


OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF ANNEXATION

I, SPENCER J. COX, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of annexation from SANDY CITY (Nebeker Annexation), dated November 4th, 2014, complying with Section 10-2-425, Utah Code Annotated, 1953, as amended.

NOW, THEREFORE, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of annexation, referred to above, on file with the Office of the Lieutenant Governor pertaining to SANDY CITY (Nebeker Annexation), located in Salt Lake County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 26th day of November, 2014 at Salt Lake City, Utah.

SPENCER J. COX
Lieutenant Governor



November 20, 2014

Spencer Cox, Lieutenant Governor
Lieutenant Governor's Office
Utah State Capital Complex, Suite 200
350 North State Street
Salt Lake City, Utah 84114

Re: Nebeker Annexation

Dear Lieutenant Governor Cox:

The legislative body of Sandy City is filing the following documents with the lieutenant governor for the Nebeker Annexation:

1. a notice of an impending boundary action, as defined in Section 67-1a-6.5, that meets the requirements of Subsection 67-1a-6.5(3); and
2. a copy of an approved final local entity plat, as defined in Section 67-1a-6.5.

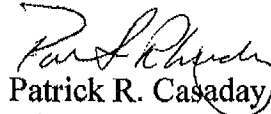
As per instructions from your office, the local entity plats have been reduced in size to a standard letter size and we have also attached copies of the ordinances annexing the Evans area.

We understand that within ten days, as per Subsection 67-1a-6.5(2), you will issue the annexation certificates if you determine the notices of the impending boundary action meet the requirements of Subsection 67-1a-6.5(3), and the notices are accompanied by approved local entity plats.

If you are unable to issue the annexation certificate, please notify us as soon as possible.

Thank you very much.

Sincerely

A handwritten signature in cursive script, appearing to read "Patrick R. Casaday".

Patrick R. Casaday
Sandy City Attorney's Office

Enclosures

1. Notice of Impending Boundary Action - Nebeker Annexation
2. Approved Final Local Entity Plat - Nebeker Annexation
3. Nebeker Annexation Ordinance

Notice of Impending Boundary Action with Approved Final Local Entity Plan

November 4, 2014

Spencer Cox, Lieutenant Governor
Lieutenant Governor's Office
Utah State Capital Complex, Suite 200
350 North State Street
Salt Lake City, Utah 84114

Dear Lieutenant Governor Cox:

Annexations in Sandy City are approved by the City Council - the City's legislative body. On or about November 4, 2014, the City Council adopted an ordinance approving the following annexation:

Nebeker Annexation to Sandy City

As chair of the Sandy City Council during this time, and on behalf of Sandy City, I hereby notify you of this impending boundary action which is more fully described in the Approved Final Local Entity Plan which accompanies this notice. I further certify that all requirements applicable to this annexation have been met.

Accordingly, on behalf of the Sandy City Council, I request that you issue a Certificate of Annexation for this boundary action as described in Section 67-1a-6.5 of the Utah Code. Section 10-2-425(4)(b) of the Utah Code provides that the effective date of the annexation is the date on which you issue the Certificate of Annexation

Respectfully submitted,



Chair, Sandy City Council

NORTH QUARTER CORNER OF SECTION
7G, TOWNSHIP 3 SOUTH, RANGE 7 EAST.
SALT LAKE BASIN AND MICHIGAN

ANNEXATION DESCRIPTION

[illegible]

SURVEYORS' NARRATIVE

[illegible]

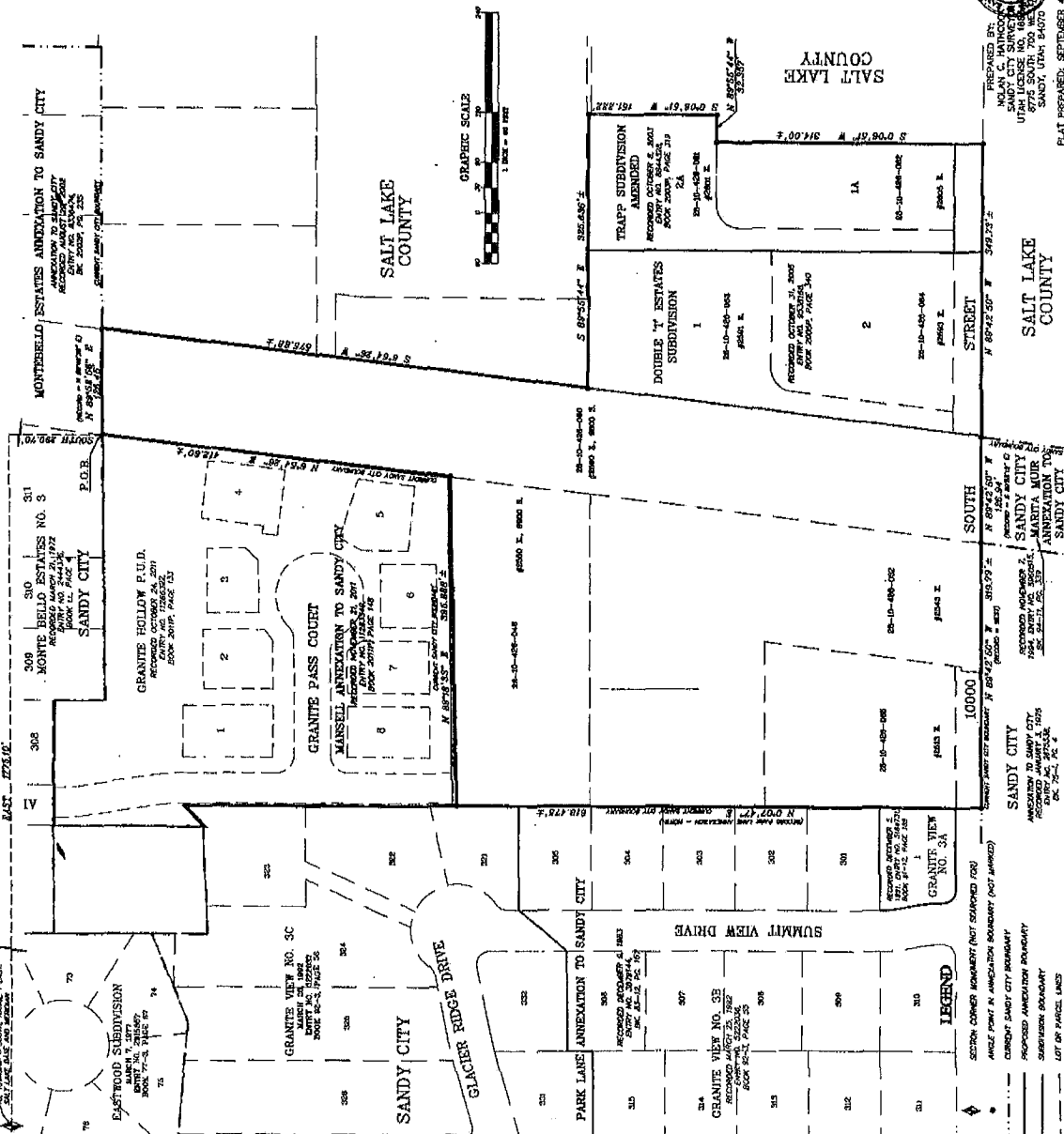
NOTIFIED SURVEYORS CERTIFICATION

¹ Section C, Handbook of Professional Land Surveyors licensed under Title 28, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act, reading therein rule 1663-306 by which it was determined that a third class survey plat, in accordance with Section 17-23-21, was made by a duly sworn and competent person in a true and correct representation of actual land title.



Melvin C. H. H. H.
MOLAN C. HATHCOCK PROFESSIONAL LAND SURVEYOR
November 5, 2014

<p>ENGINEERS CERTIFICATE</p> <p>I hereby certify that this is a true and correct map of the area to be returned into the Corporate Limits of Sandy City, Utah.</p> <p><i>James H. Hines</i> SANDY CITY ENGINEER</p> <p>DATE: <i>11/14/12</i></p>	<p>SALT LAKE COUNTY SURVEYOR</p> <p>Approved this 14th day of <i>November</i> A.D. 2012, at <i>Salt Lake County</i> Utah, first by the Salt Lake County Surveyor:</p> <p><i>Richard L. ...</i> SALT LAKE COUNTY SURVEYOR</p>
<p>SANDY CITY APPROVAL</p> <p>Approved this 14th day of <i>November</i> A.D. 2012, by the Sandy City Council as Ordinance <i>2012-012</i> of the City of Sandy, Utah.</p> <p><i>James H. Hines</i> SANDY CITY ENGINEER</p> <p><i>James H. Hines</i> SANDY CITY CLERK</p>	<p>SALT LAKE COUNTY RECORDER</p> <p>RECORDED: <i>1</i></p> <p>STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF</p> <p>DATE: _____ TIME: _____ PAGE: _____</p> <p>FILE # _____</p> <p>PROPERTY SURVEY MAP, COUNTY RECORDS</p>



NEBEKER ANNEXATION
ORDINANCE # 14-36

AN ORDINANCE ANNEXING TERRITORY LOCATED AT APPROXIMATELY 2513 EAST 10000 SOUTH IN SALT LAKE COUNTY, COMPRISING APPROXIMATELY 11.07 ACRES INTO SANDY CITY; ESTABLISHING ZONING FOR THE ANNEXED PROPERTIES; ALSO PROVIDING A SEVERANCE AND EFFECTIVE DATE FOR THE ANNEXATION

The Sandy City Council finds:

1. Section 10-2-418, Utah Code Annotated, authorizes the City to annex contiguous areas within unincorporated county islands without a petition if it satisfies certain statutory requirements.
2. The City has complied with all statutory requirements, in that : (1) the areas proposed to be annexed, located at approximately 2513 East 10000 South in Salt Lake County and comprising about 11.07 acres ("Areas"), are contiguous areas and are contiguous to the City; (2) the Areas consists of a portion of one or more unincorporated Salt Lake County islands within or unincorporated peninsulas contiguous to the City, which have fewer than 800 residents; (3) for an annexation of one or more unincorporated islands, the entire island or unincorporated area, of which a portion is being annexed, has fewer than 800 residents; (4) the majority of the islands or peninsulas consists of residential or commercial development; (5) the Areas require the delivery of municipal-type services; and (6) the City has provided one or more municipal-type services to the islands or peninsulas and to the Areas for more than one year.
3. On or about September 23, 2014, the City adopted Resolution 14-54 C, attached hereto as Exhibit "A", describing the Area and indicating the City's intent to annex the Areas. The City determined that not annexing the entire island or peninsula was in its best interest.
4. The City published Notice to hold a public hearing on the proposed annexation of the Areas. The Notice was published at least once a week for three successive weeks in a newspaper of general circulation within the City and within the Areas, and the City sent written notice to the board of each special district whose boundaries contain some or all of the Areas, and to the Salt Lake County legislative body. The Notice, a copy of which is attached hereto as Exhibit "B", complied with all statutory requirement.

5. On or about October 28, 2014, the City Council held a public hearing on the proposed annexation of the Areas. Prior to the public hearing, the owners of at least 75% of the total private land area representing at least 75% of the value of the private real property within the Areas consented in writing to the annexation. Such consent is attached hereto as Exhibit "C". As such, the City may adopt an ordinance annexing the Areas without allowing or considering protests, and the Areas are conclusively presumed to be annexed, as per Section 10-2-418(3)(b), Utah Code Annotated. Only those property owners living within the area proposed for annexation have standing to protest the proposed annexation, as per Section 10-2-418 (2)(b)(iv), Utah Code Annotated.
6. The annexation of the Areas is completed and takes effect on the date of the lieutenant governor's issuance of a certificate of annexation as per Section 10-2-425(4), Utah Code Annotated.

NOW, THEREFORE, BE IT ORDAINED by the City Council that it does hereby :

1. Adopt an ordinance annexing the Areas as shown on the plat filed in the office of the Sandy City Recorder.
2. Determine that not annexing the entire island or peninsula is in the City's best interest.
3. Zone the Areas to an R-1-20A and R-1-40A, as per the map attached hereto as Exhibit "D".
4. Confirm that, pursuant to Section 10-2-425(4), Utah Code Annotated, this annexation of the Areas is conclusively presumed and is completed and takes effect upon the date of the lieutenant governor's issuance of a certification of annexation.
5. Declare that all parts of this ordinance are severable and that if the annexation of the Areas shall, for any reason, be held to be invalid or unenforceable, this shall not affect the validity of any associated or subsequent annexation.
6. Affirm that this ordinance shall become effective upon publication as provided by law.

PASSED AND APPROVED by vote of the Sandy City Council this 17 day of November 2014.

ATTEST:


Chair, Sandy City Council

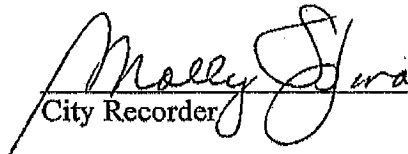

City Recorder



Exhibit "A"

NEBEKER ANNEXATION

RESOLUTION # 14-54 C

A RESOLUTION INDICATING INTENT TO ANNEX AN
UNINCORPORATED AREA, SETTING A HEARING TO
CONSIDER SUCH AN ANNEXATION, AND DIRECTING
PUBLICATION OF HEARING NOTICE.

The City Council of Sandy City, State of Utah, finds and determines as follows:

1. Sandy City ("City") desires to annex a certain contiguous unincorporated area, totaling approximately 11.7 acres, located at approximately 2513 East 10000 South in Salt Lake County, Utah, and more specifically described in the legal description attached hereto as Appendix "A".

2. The City is authorized to annex the area without a petition pursuant to 10-2-418 Utah Code Annotated.

3. The annexation of that portion of an island or peninsula, leaving unincorporated the remainder of that island or peninsula, is in the City's best interests.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Sandy City, Utah that it does hereby:

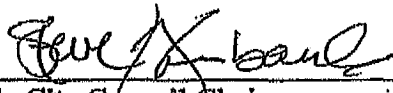
1. Indicate the City Council's intent to annex the area described in Appendix "A."

2. Determine that not annexing the entire unincorporated island or unincorporated peninsula is in the City's best interest;

3. Set a public hearing for October 28, 2014, at 7:05 p.m. to consider the annexation.

4. Direct the City Recorder to publish and send notice of such hearing in accordance with Utah Code Ann. § 10-2-418(2)(a).

ADOPTED by the Sandy City Council this 23rd day of September, 2014.



Sandy City Council Chair

ATTEST:


City Recorder

RECORDED this 24th day of September, 2014.




Mayor, Sandy City

PRESENTED to the Mayor of Sandy City this 6th day of November 2014.

APPROVED by the Mayor of Sandy City this 7th day of November 2014.

Exhibit "B"

**SANDY CITY PUBLIC NOTICE
INTENT TO ANNEX - NEBEKER ANNEXATION**

NOTICE IS HEREBY GIVEN that the Sandy City Council has adopted a resolution indicating its intent to annex an unincorporated area, located at approximately 2513 East 10000 South in Salt Lake County, into the Municipality of Sandy City. On October 28, 2014, at 7:05 p.m., in the City Council Chambers, Sandy City Hall, 10000 Centennial Parkway, Sandy, Utah, the Sandy City Council will hold a public hearing on the proposed annexation.

Legal Description: Beginning at a northeasterly corner of the MANSELL ANNEXATION TO SANDY CITY, recorded November 21, 2011 as Entry No. 11283549 in Book 2011P of plats at Page 148 in the office of the Salt Lake County Recorder, said point lies East 1775.10 feet and South 290.70 feet from the Center Quarter Corner of Section 10, Township 3 South, Range 1 East, Salt Lake Base and Meridian (Basis of bearings for this description is North 0°15'50" East along the Quarter Section Line defined by the Center Quarter Corner and North Quarter Corner of said Section 10.) thence along the current Sandy City boundary, North 89°52'56" East 126.45 feet; thence South 6°54'26" West 575.68 feet; thence South 89°55'44" East 325.636 feet; thence South 0°06'51" West 151.222 feet; thence North 89°55'44" West 32.357 feet; thence South 0°06'51" West 314.00 feet; thence North 89°42'50" West 349.73 feet; thence along the current Sandy City boundary, North 89°42'50" West 446.73 feet; thence along the current Sandy City boundary, North 0°07'47" East 618.475 feet, thence along the current Sandy City boundary, North 89°18'33" East 395.888 feet; thence along the current Sandy City boundary, North 6°54'26" East 412.60 feet the Point of Beginning.

The City Council will annex the area unless written protests to the annexation are presented at the public hearing or are filed by 5:00 p.m. on the day of such hearing with the Sandy City Recorder, Sandy City Hall, 10000 Centennial Parkway Suite 311, Sandy Utah, by the owners of private real property that:

- (A) is located within the area proposed for annexation;
- (B) covers a majority of the total private land area within the entire area proposed for annexation; and
- (C) is equal in value to at least ½ the value of all private real property within the entire area proposed for annexation.

The area under consideration for annexation comprises approximately 11.07 acres. It is being proposed to annex these properties to the City with the R-1-40A Zone (single family residential on 40,000 square foot lots with animal rights) and the R-1-20A Zone (single family residential on 20,000 square foot lots with animal rights). Any questions you may have regarding this annexation, may be directed to James Sorensen in the Community Development Department - 568-7270, jsorensen@sandy.utah.gov

Posted	September 24, 2014	Sandy City Hall Sandy Parks & Recreation Sandy Library Sandy City Website (http://www.sandy.utah.gov) Utah Public Notice Website (http://pnn.utah.gov)
Published	October 7, 2014 October 14, 2014 October 21, 2014	Salt Lake Tribune